

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KATHRYN W. DALE,)	
)	CASE NO. C10-1255-RAJ
Plaintiff,)	
)	
v.)	
)	ORDER AFFIRMING
MICHAEL J. ASTRUE,)	COMMISSIONER
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	

The Court has reviewed the entire record, including the Administrative Record, the memoranda of the parties, and the Report and Recommendation (Dkt. # 15) of United States Magistrate Judge Mary Alice Theiler. The Report and Recommendation was noted for February 11, 2011, and any objections were due no later than February 10. No one objected to the Report and Recommendation.

On February 17, the parties filed a stipulated motion (Dkt. # 16) to extend the deadline to “Appeal the District Court Affirmance of the Commissioner’s Decision.” The court does not know what the parties intended to accomplish in this motion. There is no “District Court Affirmance of the Commissioner’s Decision” for anyone to appeal, although there will be one once this order is entered in the docket. But the deadline for that appeal will come *after* the

01 deadline the parties have proposed in their stipulation. If the parties intended to extend the
02 deadline for objecting to the Report and Recommendation, they should have made that
03 intention clear. They also should have attempted to demonstrate good cause for filing their
04 stipulation to continue the deadline a week after the deadline had already passed. The court
05 accordingly denies the motion for extension of time. It is therefore ORDERED:

- 06 (1) The Court adopts the Report and Recommendation;
- 07 (2) The Court AFFIRMS the decision of the Commissioner;
- 08 (3) The court DENIES the motion to extend time; and
- 09 (4) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.

10 DATED this 22nd day of February, 2011.

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13 The Honorable Richard A. Jones
14 United States District Judge
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